

PATENTS  
ERUG-3

#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Patentees : Rahim Amidhoozour et al.  
Patent No. : 6,381,510  
Issued : April 30, 2002  
On Application No. : 09/444,056 Confirmation No.: 8129  
Filed : November 19, 1999  
For : METHODS AND APPARATUS FOR FACILITATING  
ELECTRONIC COMMERCE IN AREA RUGS  
Group Art Unit : 2768  
Examiner : Peter Nerbum

**BY FACSIMILE;  
CONFIRMATION BY MAIL**

Hon. Commissioner for Patents  
P. O. Box 2327  
Arlington, VA 22202

February 27, 2003  
Palo Alto, CA

PETITION UNDER 37 C.F.R. §§ 1.36 AND 10.40(c)(1)(vi)  
TO WITHDRAW FROM REPRESENTATION

Sir:

Pursuant to 37 C.F.R. §§ 1.36 and 10.40(c)(1)(vi), the undersigned attorney hereby petitions on his own behalf, and, being authorized to petition on behalf of each of the other attorneys of record, the undersigned attorney hereby petitions on behalf of each of the other attorneys of record (i.e., Nicola A. Pisano, Reg. No. 34,408; Michael J. DeHaemer, Jr., Reg. No. 39,164 and Christopher J. Frerking, Reg. No. 42,557), for permission to withdraw from representation of patentees in the above-identified patent

because "petitioners' client has failed to pay ... bills rendered by the [petitioners] for an unreasonable period of time" (37 C.F.R. § 10.40(c)(1)(vi)).

Pursuant to MPEP § 402.06, this Petition is being submitted in triplicate (this original and two copies). As also required by MPEP § 402.06, mailing addresses of the undersigned and of the patentees are set forth at the end of this Petition.

#### Statement of Facts

Fish & Neave, an intellectual property law firm of which each of the above-referenced attorneys are either a member or a past employee, was retained by eRugGallery.com in September 1999 to prepare and file the above-identified application and several other applications.

Fish & Neave has billed eRugGallery.com a total of \$77,489.52 in fees and disbursements for the preparation, filing, and prosecution of the above-identified patent application and the other patent applications. eRugGallery.com has only paid \$1,958.57 and has not made a payment since March, 2002. At the present time, there exists an outstanding balance of \$75,530.95 owed to Fish & Neave.

Fish & Neave has contacted eRugGallery.com both in writing and telephonically on numerous occasions in connection with the outstanding balance, but no payment has been made.

#### This Petition Should Be Granted

The 3 1/2 year maintenance fee for the above-identified patent is due in 2005. There is sufficient time remaining for this Petition to be granted and for patentees to have more than thirty days to take other action. Thus, patentees would not be prejudiced by the granting of this Petition (MPEP § 402.06).

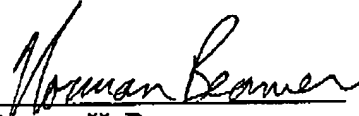
The undersigned has sent the file of the patent to the patentees concurrently with the filing of this Petition.

For the reasons set forth above, petitioners respectfully request that this Petition be granted promptly, and that the United States Patent and Trademark Office direct all future correspondence to the patentees at the following address:

Hesam Ferdows  
eRugGallery.com  
P.O. Box 117351  
Burlingame, CA 94011  
Tel: 650.348.1600  
Fax: 650.321.6002

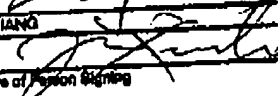
An early and favorable action on this Petition is respectfully requested.

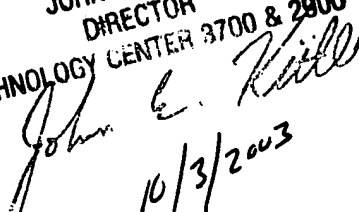
Respectfully Submitted,

  
Norman H. Beamer  
Registration No. 32,721

FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Telephone: (650) 617-4000

I hereby Certify that this  
Correspondence is being  
Deposited with the U.S.  
Postal Service First  
Class Mail in an Envelope  
Addressed to:  
Hon. Commissioner for patents  
P.O. Box 2327, Arlington, VA 22202, on

2-27-2003  
LIDY X. JIANG  
  
Signature of Person Signing

APPROVED  
JOHN E. KITTLE  
DIRECTOR  
TECHNOLOGY CENTER 3700 & 2800  
  
10/3/2003

3765

Feb-27-2003 07:13pm From-FISH &amp; NEAVE

6506174053

T-245 P:00:008 F-010

**FISH & NEAVE****FACSIMILE TRANSMISSION**

	COMPANY	RECIPIENT FAX	RECIPIENT PHONE
Group 2700	USPTO	703-872-9313	

SENDER	DATE	SENDER'S PHONE	PAGES (INCLUDING COVER)
Lily Jiang	February 27, 2003	650.617.4036	8

CLIENT	RE:	TIME	FAX OPERATOR
01189.001	Our Ref. eRug-3 Patent No. 6,381,510		

MESSAGE

**FAX RECEIVED**  
**MAR 04 2003**  
**GROUP 3700**

This communication is intended only for the use of the addressee and may contain information that is privileged and confidential. If you are not the intended recipient, you are hereby notified that the unauthorized dissemination of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone. If not completely received, please call back at 650.617.4021 as soon as possible.

528 UNIVERSITY AVENUE, PALO ALTO, CA 94301 TEL 650.617.4000 FAX 650.617.4080  
1251 AVENUE OF THE AMERICAS, NEW YORK, NY 10020 TEL 212.596.9000 FAX 212.596.9090

Received from <6506174053> at 2/27/03 10:13:29 PM [Eastern Standard Time]

DOCKET NO.

ERUG-3

PATENTEE'S AMIDHOZOUR ET AL.

PATENT NO. 6,381,510

ISSUED April 30, 2002

APPLICATION NO. 09/444,056

FILED November 19, 1999

**RECEIPT IS HEREBY ACKNOWLEDGED OF THE**

Transmittal Letter in Duplicate; Petition under 37 C.F.R. 1.36 and 10.40(c)(1)(vi) to  
Withdraw from Representation in Triplicate

DATED

February 27, 2003

FILED IN CONNECTION WITH THE ABOVE CASE.

COMMISSIONER FOR PATENTS

PATENTS  
ERUG-3

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CONFIRMATION BY MAIL**

Hon. Commissioner for Patents  
P. O. Box 2327  
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February 27, 2003  
Palo Alto, CA

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ PETITION UNDER 37 C.F.R.  
§§ 1.36 AND 10.40(c)(1)(vi) TO WITHDRAW FROM REPRESENTATION;  
☐ a Reply to Office Action; ☐ a Supplemental Amendment;  
☐ a substitute Specification; ☐ a Declaration; ☐ a  
Supplemental Declaration; ☐ formal drawings; to be filed in  
the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.

☐ A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	*	=	X \$ 9 = \$
INDEPENDENT CLAIMS	-	**	=	X \$ 42 = \$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$140 = \$
* If less than 20, insert 20.				TOTAL \$ _____
** If less than 3, insert 3.				

☐ A check in the amount of \$\_\_\_\_\_ in payment of the filing fee is transmitted herewith.

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

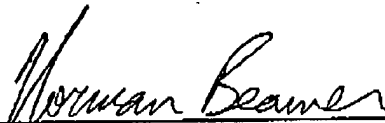
☐ The following extension is applicable to the Response filed herewith; ☐ \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$205.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$465.00 extension fee for response within third month pursuant to

37 C.F.R. § 1.136(a); ☐ \$725.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136 (a); ☐ \$985.00 extension fee for response within fifth month pursuant to 37 C.F.R. 1.136(a).

☐ A check in the amount of ☐ \$55.00; ☐ \$205.00; ☐ \$465.00; ☐ \$725.00; ☐ \$985.00; in payment of the extension fee is transmitted herewith.

☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge the ☐ \$55.00; ☐ \$205.00; ☐ \$465.00; ☐ \$725.00; ☐ \$985.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



Norman H. Beamer  
Registration No. 32,721

Fish & Neave  
Customer No. 1473  
1251 Avenue of the Americas  
New York, NY 10020-1105  
(650) 617-4000

I hereby Certify that this  
Correspondence is being  
Deposited with the U.S.  
Postal Service First  
Class Mail in an Envelope  
Addressed to:  
Hon. Commissioner for patents  
P.O. Box 3327, Arlington, VA 22202, on

2-27-2003  
LILY X. JIANG

Signature of Person Signing